

REMARKS/ARGUMENTS

Claims 1-3, 5-11, 13-16, and 19-25 are pending in the application. By this Amendment, claims 1, 5, 8, 14 and 22-25 are amended and claim 17 is canceled without prejudice or disclaimer of the subject matter therein. It is believed that no new matter has been introduced into the application. Support for the claims can be found throughout the original specification, including the original claims, and the drawings. Reconsideration of the application is respectfully requested for at least the following reasons.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance (for the reasons discussed herein); (2) do not raise any new issues requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter); and/or (3) place the application in better form for appeal (if necessary). Entry is thus requested.

Statement of the Substance of the Interview:

Applicant gratefully acknowledges the courtesies extended by Examiner Peaches to Applicant's representative, Carl Wesolowski, during a January 26, 2006 personal interview. The substance of the personal interview is incorporated in the following remarks.

During the personal interview, Examiner Peaches indicated claim 17 did not contain allowable subject matter in contrast to the November 16, 2005 Office Action. See Allowable Subject Matter and Response to Arguments on pages 12-13 of the November 16, 2005 Office Action. Accordingly, Examiner Peaches indicated a non-final office

action, final office action or allowance would be the next action on the merits from the U.S. Patent and Trademark Office.

During the interview, claims 5 and 8 and other rejected independent claims were argued to be allowable over Helle, Backstrom and Krishnamurthi references because the references, individually or in combination, fail to teach or suggest at least features of storing an indication to keep the display power off while maintaining power to remaining portions of the mobile communication terminal as recited in claim 5 and wherein the display power off setting comprises controlling a general purpose input/output (GPIO) port of a mobile station modem (MSM) and cutting off power to the display, and converting a data variable of a memory to prevent the power to the display when power to the terminal is subsequently provided as recited in claim 8 and combinations thereof. Examiner Peaches indicated independent claims 5 and 8 and other rejected independent claims appeared to distinguish the Helle, Backstrom and Krishnamurthi references based on these features. However, a future search would be conducted.

Claims 8, 14 and 22-24 are amended for clarity of the "data variable" as discussed in the interview. See page 6, lines 10-17 of the present specification.

No exhibit was presented or demonstration conducted during the interview.

Applicant respectfully requests that this paper be included in the record for purposes of satisfying the requirements under MPEP §713.04.

A. The Office Action rejects claims 1-3, 5-11 and 13 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,662,023 to Helle in view of U.S. Patent No. 6,289,214 to Backstrom. The Office Action rejects claims 14-16 and 19-25 under 35 U.S.C. § 103(a) as unpatentable over Helle in view of Backstrom and in further view of

U.S. Patent No. 6,198,929 to Krishnamurthi et al. (hereinafter "Krishnamurthi"). Since Helle, Backstrom and Krishnamurthi, individually or in combination, fail to disclose or suggest recited features of the claims, the rejections are respectfully traversed.

1. Independent claim 5 is directed to a method for preventing use of a mobile communication terminal, including features of turning off a display power by the terminal and storing an indication to keep the display power off while maintaining power to remaining portions and combinations thereof. Applicant respectfully submits that at least such features are not disclosed or suggested by Helle, Backstrom, or the combination thereof.

The November 16, 2005 Office Action, at page 4, acknowledges that Helle does not teach turning off LCD power by the terminal when discussing claim 5. However, the Office Action asserts that Backstrom discloses SMS deactivation which corresponds to a "turning off" message being communicated to a remote mobile radiotelephone. The Office Action concludes that it would have been obvious to one of ordinary skill in the art to modify the method of Helle by Backstrom to include a keyword command that instructs the terminal to be turned off to prevent illegal usage thereof. For at least the following reasons, Applicant respectfully submits that the Office Action fails to establish a *prima facie* case of obviousness for claim 5 based upon the suggested combination.

Applicant respectfully submits that Backstrom appears to disclose deactivating a cellular radio telephone system 520a ... 520n that each include a cellular radio exchange (CRE) and a plurality of radio heads (base stations) by sending a SMS e-mail including a deactivation message to the CRE (via a fictitiously assigned radio telephone) using a protocol other than TCP/IP to deactivate the cellular radio telephone system. See the Abstract, Figure 5 and claim 1 of Backstrom. Another exemplary radio telephone system

includes a wireless office system that can be located in a building to provide cellular radio telephone communication among cellular telephones located in the building. See column 1, lines 23-35 of Backstrom. Applicant respectfully submits that the teaching of Backstrom to deactivate a telephone system using an SMS message (sent to a CRE controller 524 using a fictitious radio telephone), when combined with the disclosure in Helle would include deactivating a telephone system having multiple mobile telephones with the one lost mobile phone in Helle when the one mobile phone is lost.

Accordingly, Applicant respectfully submits that the disclosure in Backstrom to deactivate a radio telecommunication system including base stations does not teach or suggest modifications to the disclosure in Helle to deactivate a single mobile phone 10, let alone one particular component such as a display module 16 in the mobile phone 10 while maintaining power to remaining portions of the mobile phone 10. See Figure 1 of Helle.

Thus, Applicant respectfully submits that the combination of Helle and Backstrom, individually or in combination, would not result in at least features of analyzing the received SMS message and turning off a display power by the mobile communication terminal and storing an indication to keep the display power off while maintaining power to remaining portions of the mobile communication terminal and combinations thereof as recited in claim 5.

2. With respect to claim 8, Applicant respectfully submits that Helle and Backstrom, individually or in combination, do not disclose at least features of a second step in which the received SMS message is analyzed to set a phone lock function by a display power off function, wherein the display power off setting includes controlling a general purpose input/output (GPIO) port of a mobile station modem (MSM) and cutting off power to the display, and converting a data variable of a memory, and combinations

thereof as recited. The November 16, 2005 Office Action admits that Helle fails to teach turning off an LCD power by controlling a general purpose input/output (GPIO) port of a mobile station modem (MSM) and cutting off the power to the LCD. However, the Office Action asserts that Backstrom discloses in column 5, lines 35-53 an ANSI-41 SMS deactivation, which reads on claimed "turning off," message being communicated to a remote mobile telephone. Further, the Office Action asserts Backstrom continues to disclose converting the data variable of memory by interpreting incoming messages that are used to instruct the phone to perform certain functions accordingly. Thus, the Office Action asserts the Applicant's claim language "a GPIO port of a MSM" is being interpreted based on Backstrom's deactivation step, which constitutes the same claimed functionality. See page 6, lines 5-14 of the November 16, 2005 Office Action.

Applicant respectfully submits that Backstrom's disclosure of deactivating a cellular telephone radio system 520a 520n that a plurality of base stations, for example, because of nonpayment of bills (see column 6, lines 62-66 of Backstrom) by sending a single SMS email to a CRE controller 524 does not teach or suggest the same functionality of embodiments of the present invention that relate to a method for preventing use of a mobile terminal that is lost by turning off power to an display while maintaining power to the rest of the lost mobile terminal. Further, Applicant respectfully submits that the disclosure in Helle and Backstrom, individually or in combination, do not teach or suggest any modification to their disclosure that would result in at least features of a second step in which the received SMS message is analyzed to set a phone lock function by a display power off function, wherein the display power off setting includes controlling a GPIO port of a MSM and cutting off power to the display, and converting a data variable of a memory, and combinations thereof as recited in claim 8.

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3. With respect to claim 17, during the personal interview, Examiner Peaches indicated claim 17 did not contain allowable subject matter in contrast to the November 16, 2005 Office Action. Accordingly, Examiner Peaches indicated a non-final office action, final office action or allowance would be the next action on the merits from the U.S. Patent and Trademark Office.

4. For at least the reasons set forth above, Applicant respectfully submits that claims 5 and 8 are allowable. Claims 1 and 14 are allowable for at least reasons similar to claim 8. Claim 19 is allowable for at least reasons similar to claim 5. Claims 2-3, 6-7, 9-11, 13, 15-16 and 20-25 depend from claims 1, 5, 8, 14 and 19, respectively, and are allowable for at least the same reasons, as well as additional patentable features recited therein and the combinations thereof. Claim 17 is canceled with our prejudice or disclaimer. Withdrawal of the rejection of claims 1-3, 5-11, 13-16 and 19-25 under §103 is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Carl R. Wesolowski, at the telephone number listed below. Favorable consideration and prompt allowance are earnestly solicited.

Serial No. 09/987,099

Docket No. P-0287

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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